

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

UNITED STATES OF AMERICA	)	
	)	No. 16 CR 465
v.	)	
	)	Judge Jorge L. Alonso
WILLIE WEATHERSBY	)	

**PROTECTIVE ORDER DIRECTING THE  
INTERLOCUTORY SALE OF CERTAIN PROPERTY**

This matter coming before the Court on the government and defendant WILLIE WEATHERSBY's agreed motion for entry of a protective order directing the interlocutory sale of certain property pursuant to the provisions of Title 21, United States Code, Section 853(e)(1)(A), as incorporated by Title 28, United States Code, Section 2461(c), and the Court being fully advised finds as follows:

(a) On December 28, 2016, a federal grand jury returned a multi-count superseding indictment charging defendant WILLIE WEATHERSBY with bank robbery in violation of 18 U.S.C. § 2113(a).

(b) The superseding indictment seeks forfeiture to the United States, pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c), of any and all right, title, and interest the defendant may have in any property constituting and derived from the proceeds traceable to the bank robbery violation, including one 2006 Mercedes Benz C280, VIN: WDBRF92J16F791613.

(c) The United States request action by this Court because financial responsibilities in relation to the subject vehicle is burdensome, including the storage and maintenance of the vehicle. Moreover, permitting the sale of the vehicle

now would increase the amount, after satisfaction of obligations, that will be available for forfeiture to the United States upon conviction.

(d) Pursuant to 21 U.S.C. § 853, as incorporated by 28 U.S.C. § 2461(c), this Court has jurisdiction to enter orders or to take other action to preserve and to protect property to insure that the property or its equity will be available for forfeiture in the event of conviction.

(e) Title 21, United States Code, Section 853(e)(1) provides in pertinent part:

Upon application of the United States, the Court may enter a restraining order or injunction, require the execution of a satisfactory performance bond, or take any other action to preserve the availability of property described in subsection (a) of this section for forfeiture under this section –

(A) upon the filing of an indictment or information charging a violation of this subchapter or subchapter II of this chapter for which criminal forfeiture may be ordered under this section and alleging that the property with respect to which the order is sought would, in the event of conviction, be subject to forfeiture under this section.

(f) Accordingly, in order to preserve the availability of the equity in the vehicle subject to forfeiture this court shall enter a protective order directing the interlocutory sale of the vehicle by the United States Marshals Service, and that the proceeds from the sale, after payment of certain verifiable costs, be retained in an escrow account maintained by the United States Marshals Service, pending further order of this Court.

(g) Further, that to the extent the United States Marshals Service incurs certain costs, the United States Marshals Service shall be permitted to deduct from

the proceeds of the sale of the vehicle, any reasonable and necessary costs incurred to effectuate the sale of the vehicle and costs incurred to maintain the vehicle, if any, pending sale.

Accordingly, it is hereby ORDERED, ADJUDGED, and DECREED:

1. That, the agreed motion for entry of a protective order allowing the interlocutory sale of 2006 Mercedes Benz C280, VIN: WDBRF92J16F791613 is granted;

2. That, the property shall be sold at the direction of the United States Marshals Service;

3. That, the proceeds from the sale of the subject vehicle, after the payment of verifiable costs, shall be retained by the United States Marshals Service pending further order of this Court;

4. That, the United States Marshals Service may incur certain costs and shall be permitted to deduct from the proceeds of the sale of the subject vehicle, any reasonable and necessary costs incurred to effectuate the sale and/or maintain the vehicle, if any, pending sale;

5. That, this Court shall retain jurisdiction in this matter to take additional action and enter further orders as necessary to implement and enforce this protective order directing the interlocutory sale of the above-identified vehicle.

ENTERED:

7/10/17

A handwritten signature in black ink, consisting of a large, stylized 'J' followed by 'L. A.' and a period.

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Jorge L. Alonso  
United States District Judge